(52)

**HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR**

**DIVISION BENCH**

---

**CORAM : HON'BLE SHRI S.R. NAYAK, CJ**
**& HON'BLE SHRI D.R. DESHMUKH, J.**

---

**WRIT PETITION NO.5899 of 2005**

**PETITIONER** — Lal Singh S/o Late Shri Pratap Singh, aged about 52 years, R/o. Village Parasi, Block Marwahi, Tahsil Pendra Road, Up-Tahsil Marwahi, District Bilaspur (C.G.)

**VERSUS**

**RESPONDENTS**

1. Smt. Munni Bai, Wife of Kunware Lal, aged about 35 years, R/o. Village Parasi, Block Marwahi, Tahsil Pendra Road, Up-Tahsil Marwahi, District Bilaspur (C.G.)
2. State of Chhattisgarh Through Secretary, Panchayat and Social Welfare Department, DKS Bhawan, Mantralaya, Raipur (C.G.)
3. Collector, Bilaspur (C.G.)

---

Present: Shri K.A. Ansari, learned Sr. Advocate with Shri R.L. Bajpayee, learned counsel for the petitioner.

Shri Rajesh Pandey, learned counsel for respondent No.1

Shri Vinay Harit, learned Dy. A.G. for the State.

---

**ORAL ORDER**
**(Passed on 5th April, 2006)**

The following oral order of the Court was passed by

**S.R. NAYAK, CJ .**

This writ petition is filed by one Lal Singh, S/o late Shri Pratap Singh, claming to be a *pro bono* public character to espouse the public cause. The petitioner has sought for quashing of the election of the 1st respondent as Sarpanch of Gram Panchayat Parasi, Block Marwahi, Tehsil Pendra Road, District Bilaspur. The allegation is that the 1st respondent is not qualified to

be elected to the post of Sarpanch of the above noted Gram Panchayat. The laudable objective behind the technique of public interest litigation is to sub-serve the societal interest at the instance of a *pro bono* public character for service of the deprived classes or segments of the society who for various reasons, such as economic, social and political disabilities, could not seek remedy and suffer legal injuries in perpetuity. If the election of the 1st respondent as Sarpanch of Gram Panchayat Parasi, Block Marwahi is invalid for any reason, legal or factual, it is open for the defeated candidate to workout legal remedy by way of election petition. The legality and validity of the election of the 1st respondent as Sarpanch, Gram Panchayat Parasi, Block Marwahi need not be gone into at the behest of the petitioner. In that view of the matter, we are not inclined to entertain this writ petition. It is accordingly dismissed. No costs.

**Sd/-**
**Chief Justice**

**Sd/-**
**Dilip Raosaheb Deshmukh**
**Judge**